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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUN -5 11:10:35

UNITED STATES OF AMERICA,

Plaintiff,

v.

Brandon Neuman STRAND,

Defendant.

'08 MJ 1759

Magistrate Case No. 29 **CNA**COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation (Felony)

The undersigned complainant being duly sworn states:

On or about **June 4, 2008**, at the San Ysidro Port of Entry, within the Southern District of California, defendant **Brandon Neuman STRAND**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Omar TORRES-Carranza**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **5th** DAY OF
June, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Omar TORRES-Carranza** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On June 4, 2008 at approximately 1450 hours **Brandon Neuman STRAND (Defendant)**, was waiting to make application for admission into the United States from Mexico at the San Ysidro, California Port of Entry as the driver and sole visible occupant of a 1999 Volkswagen Beetle. A U.S. Customs and Border Protection (CBP) K-9 Officer conducting pre-primary roving operations approached Defendant with his Narcotics/Human Detector Dog (NHDD) which alerted to the dashboard area of the vehicle. A second CBP Officer responded to the vehicle and conducted an inspection during which Defendant gave a negative Customs declaration and claimed ownership of the vehicle. Defendant stated he was going to San Diego. Defendant presented a counterfeit California driver license and a photo altered United States passport bearing the name Scott Alan Miner. The CBP Officer inspected the inside the vehicle and noticed the dashboard had been altered. Defendant and the vehicle were subsequently escorted to secondary for further inspection.

In secondary, CBP Officers noticed a hand sticking out of the top part of the dashboard area. CBP Officers assisted in removing two screws that were holding the glove box closed to gain access to a non-factory compartment. CBP Officers pulled the glove box off with force to assist a male from exiting the compartment. The male was determined to be a citizen of Mexico without legal documents to enter the United States and is now identified as **Omar TORRES-Carranza (Material Witness)**.

During a videotaped proceeding, Defendant was advised of his Miranda rights and elected to submit to questioning without benefit to counsel. Defendant admitted knowledge of the concealed alien. Defendant admitted he was going to receive \$300.00 USD for smuggling the alien into the United States. Defendant stated he was to receive a phone call once he crossed the border and receive further instructions on where to deliver the vehicle.

On a separate videotaped interview, Material Witness declared he is a citizen of Mexico and has no legal right to enter the United States. Material Witness stated that he made arrangements with an unknown person and was going to pay \$3,200.00 USD to be smuggled into the United States. Material Witness stated he was going to Los Angeles, California to seek employment.